

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

**LISA GREGORY, on behalf of herself
and all others similarly situated,**

Plaintiff,

v.

Civil Action No. 2:12-cv-11

BELFOR USA GROUP, INC.,

Defendant.

PLAINTIFFS' RULE 26(a)(3) DISCLOSURES

Plaintiff Lisa Gregory, on behalf of herself and all others similarly situated, and Joyce Guarducci ("Plaintiffs"), by counsel, make the following pretrial disclosures pursuant to the referenced subsections of F.R. Civ. P. 26(a)(3):

I. Disclosures Pursuant to Rule 26(a)(3)(A)(i) and (ii)

1. Identification of witnesses:

a. Plaintiffs may call the following persons as witnesses:

PERSON	EXPECT TO PRESENT	MAY CALL IF NEED ARISES	MAY BE PRESENTED BY DEPOSITION
Lisa Gregory	X		
David Elgin	X		
Joyce Guarducci	X		
Brenda J. Strickland		X	
Judy Isbell		X	
Charles Ronald Hodges		X	
Steven Lindblad	X		

PERSON	EXPECT TO PRESENT	MAY CALL IF NEED ARISES	MAY BE PRESENTED BY DEPOSITION
Paul Suchowski	X		
Shannon Harrison			X
Rebecca Porritt			X
Megan O'Gorman		X	

The portions of the deposition of Shannon Harrison which have been designated by Plaintiffs are as follows:

REFERENCE
p. 23 line 22 – p. 28 line 10
p. 29 line 9-15
p. 31 line 7-25
p. 32 line 17 – p. 33 line 3
p. 43 line 18 – p. 44 line 12
p. 45 line 3-11
p. 51 line 5-19
p. 56 line 21 – p. 57 line 18
p. 65 line 11 – p. 66 line 10
p. 69 line 7 – p. 70 line 22
p. 71 line 3-19
p. 72 line 20 – p. 73 line 22
p. 74 line 3 – p. 75 line 10

The portions of the deposition of Rebecca Porritt which have been designated by Plaintiffs are as follows:

REFERENCE
p. 36 line 6-12

Plaintiffs reserve the right to call any witnesses identified by any other party and/or any witnesses not identified for rebuttal and/or impeachment purposes.

II. Disclosures Pursuant to Rule 26(a)(3)(A)(iii)

Plaintiffs expects to introduce into evidence the following exhibits:

PROPOSED TRIAL EXHIBIT NO.	DEPOSITION EXHIBIT NO.	EXHIBIT DESCRIPTION	BATES RANGE
1.		Lisa Gregory Earnings Statements	BELFOR 000001-09
2.	Elgin Ex. 14, Suchowski Ex. 4	Salary/Compensation Change Requests	BELFOR 000010-15
3.	Elgin Ex. 22, Suchowski Ex. 3	Employee Information Form – Gregory (signed by Harrison)	BELFOR 000057; 000283
4.	Elgin Ex. 3, Suchowski Ex. 2	New Hire Information and Checklist – signed 8/1/2006 and New Hire Information and Checklist – signed 8/1/2006 (second page not completed)	BELFOR 000157-158; 000218-219
5.	Elgin Ex. 16	Lisa Gregory's Resignation letter – 11/23/2009	BELFOR 000175
6.		Email from Porritt to Bird and Harrison re: Daily Recap	BELFOR 000193
7.	Elgin Ex. 4, Gregory Ex. 3	Gregory Application for employment	BELFOR 000220 – 000230; 000231 – 000236
8.	Elgin Ex. 7	Employee Information Sheet – Lisa Gregory	BELFOR 000240
9.	Elgin Ex. 1; Suchowski Ex. 6	Belfor Property Restoration Employee Handbook (September 2007)	BELFOR 000306-337
10.	Elgin Ex. 2, Suchowski Ex. 7	Belfor Property Restoration Employee Handbook (October 2009)	BELFOR 000338-413
11.	Elgin Ex. 9	Administration/AP (Job Description Procedures)	BELFOR 000416 – 000418
12.	Elgin Ex. 25	Job Coordinator/(Job Description Procedures) Judy Isbell	BELFOR 000419 – 000423
13.		Gregory's timesheet (color copy)	BELFOR 000424-000430
14.	Elgin Ex. 26	Lisa's handwritten notes re: hours for July and August	BELFOR 000431
15.	Gregory Ex. 13	8-26-09 Email from Lisa Gregory to Isbell	BELFOR 000526

PROPOSED TRIAL EXHIBIT NO.	DEPOSITION EXHIBIT NO.	EXHIBIT DESCRIPTION	BATES RANGE
16.	Gregory Ex. 14	9-22-09 Email from Lisa Gregory to Isbell	BELFOR 000527
17.	Gregory Ex. 15	10-13-09 Email from Lisa Gregory to Isbell	BELFOR 000528
18.	Gregory Ex. 16	1-19-10 Email from Lisa Gregory to Isbell	BELFOR 000529-530
19.	Elgin Ex. 33	2012 Virginia Beach Organizational Chart	BELFOR 000532
20.	Elgin Ex. 32	2011 Virginia Beach Organizational Chart	BELFOR 000533
21.	Elgin Ex. 30	2010 Virginia Beach Organizational Chart	BELFOR 000534
22.	Elgin Ex. 29	2009 Virginia Beach Organizational Chart	BELFOR 000535
23.	Elgin Ex. 28	2008 Virginia Beach Organizational Chart	BELFOR 000536
24.	Harrison Ex. 36	Email from Harrison to O'Gorman re: speaking with Lisa	BELFOR 000546
25.	Elgin Ex. 37	Emails between David Elgin and Shannon Harrison re Lisa's time records	BELFOR 000547
26.	Elgin Ex. 17, Suchowski Ex. 13	Gregory's timesheet	BELFOR 000548 – 000554
27.		Email chain from Elgin to Suchowski and Gregory re: volume of jobs	BELFOR 000625
28.		Email between David Elgin and Lisa re can they leave early	BELFOR 000631-632
29.		Email between Megan O'Gorman, Shannon Harrison and Lisa re Monster.com ad needed	BELFOR 000648-656
30.	Suchowski Ex. 14	Email from Shannon Harrison to Rebecca Porritt re exempt versus non-exempt	BELFOR 000682-684
31.	Harrison Ex. 27	Email between Harrison and Gregory re Gregory's FLSA status	BELFOR 000685-687
32.	Suchowski Ex. 15	Email between Harrison and Gregory re Gregory's FLSA classification and plan to review personnel file	BELFOR 000688-693

PROPOSED TRIAL EXHIBIT NO.	DEPOSITION EXHIBIT NO.	EXHIBIT DESCRIPTION	BATES RANGE
33.	Harrison Ex. 30	Email between Harrison and Gregory re Gregory's FLSA classification and follow-up	BELFOR 000694-706
34.		Email between O'Gorman and Elgin re conference call to discuss Gregory's FLSA status	BELFOR 000707
35.	Harrison Ex. 31	Email from Gregory to Harrison re request answer to FLSA inquiry	BELFOR 000708-709
36.	Harrison Ex. 32	Email from Harrison to O'Gorman forwarding Gregory's request for answer to FLSA inquiry	BELFOR 000710-712
37.	Harrison Ex. 33	Email from O'Gorman forwarding email from Elgin re conversation with Gregory re hours and backpay	BELFOR 000714-715
38.	Elgin Ex. 42	Email from Harrison to O'Gorman re telephone conversation with Gregory	BELFOR 000716
39.	Harrison Ex. 28	Email from Harrison to O'Gorman and others re recap 9/3 (redacted)	BELFOR 000717
40.	Harrison Ex. 34	Email from Harrison to Porritt encl FLSA Exemptions doc from attorney	BELFOR 000718-720
41.	Harrison Ex. 35	Email from Elgin to Harrison and O'Gorman re Gregory pay and raise, encl Gregory Time estimates	BELFOR 000721-728
42.	Suchowski Ex. 16	Email from Harrison to O'Gorman re voicemail from Elgin	BELFOR 000731
43.	Elgin Ex. 15, Suchowski Ex. 17	Email from Harrison to O'Gorman re strategy for communicating with Gregory re follow-up from Elgin voicemail	BELFOR 000733-735
44.	Elgin Ex. 43, Suchowski Ex. 18	Email from Porritt to O'Gorman encl draft "Classification of Employees – Exempt vs. Non-Exempt"	BELFOR 000738-742
45.		Email from Michalak to O'Gorman encl job advertisement for Water Technician position at Virginia Beach office	BELFOR 000748-751
46.		Email from Harrison re: recap 9/10	BELFOR 001051

PROPOSED TRIAL EXHIBIT NO.	DEPOSITION EXHIBIT NO.	EXHIBIT DESCRIPTION	BATES RANGE
47.	Suchowski Ex. 5	Belfor Property Restoration Handbook (October 2006)	BELFOR 001098-1125
48.		Guarducci Earnings Statements (2008-2011)	BELFOR 001126-1128
49.	Guarducci Ex. 4	Separation of Employment Notice	BELFOR 001131
50.	Guarducci Ex. 11	Salary Compensation Change Request – December 2007 4% increase	BELFOR 001171-1172
51.	Guarducci Ex. 12	Salary Compensation Change Request – 2007 bonus	BELFOR 001174
52.		Guarducci Earnings Statement (12/22/06, 01/05/07)	BELFOR 001178
53.	Guarducci Ex. 3	Guarducci New Hire Information and Checklist	BELFOR 001211-1212
54.		Email from O'Gorman to Porritt, Breitinger and Michalak re: Exempt classification for administrative employees	BELFOR 001330
55.		Email from Michalak to O'Gorman and Porritt re: Exempt classification for administrative employees	BELFOR 001331-1332
56.		Email from Breitinger to O'Gorman, Michalak and Porritt re: Exempt classification for administrative employees	BELFOR 001333
57.		Email from Porritt to O'Gorman, Breitinger and Michalak re: Exempt classification for administrative employees	BELFOR 001334
58.		Email from O'Gorman to Porritt, Breitinger and Michalak re: Exempt classification for administrative employees	BELFOR 001335-1336
59.		Email from Breitinger to O'Gorman re: Exempt classification for administrative employees	BELFOR 001337-1338

PROPOSED TRIAL EXHIBIT NO.	DEPOSITION EXHIBIT NO.	EXHIBIT DESCRIPTION	BATES RANGE
60.		Email from Porritt to O'Gorman enclosing Personnel Requisition document and Status Change Form document	BELFOR 001339-1343
61.		Email from Breitinger to Porritt, O'Gorman and Michalak re: Exempt classification for administrative employees	BELFOR 001344-1345
62.		Email from Michalak to Porritt re: Possible new hires	BELFOR 001346-1347
63.		Email from O'Gorman to Ciolino re: Bill Anderson	BELFOR 001359
64.		Email from O'Gorman to Porritt re: Bill Anderson	BELFOR 001360-1362
65.		Email from Michalak to O'Gorman re: Administration Exemption	BELFOR 001363-1366
66.		Email from Porritt to O'Gorman re: Daily Recap	BELFOR 001367
67.		Email from Tunno to Porritt re: Sharon Wharton CCR	BELFOR 001368-1369
68.		Email from Porritt re: New Hire - Bakersfield	BELFOR 001370
69.		Email from Porritt to O'Gorman re: New Hire – other locations	BELFOR 001371-1372
70.		Email from O'Gorman to Porritt re: New Hire – other locations	BELFOR 001373-1374
71.		Email from O'Gorman to Porritt re: New Hire	BELFOR 001375
72.		Email from Porritt to O'Gorman re: Job Descriptions enclosing Kevin Lahey – Admin Assts	BELFOR 001376-1377
73.		Email from Porritt to Tunno re: Office Manager enclosing Office Manager Job Description (for D. Tunno)	BELFOR 001378-1381
74.		Email from Lahey to Porritt re: Job Description enclosing Kevin Lahey – Admin Assts	BELFOR 001382-1384

PROPOSED TRIAL EXHIBIT NO.	DEPOSITION EXHIBIT NO.	EXHIBIT DESCRIPTION	BATES RANGE
75.		Email from Porritt to Lahey re: Job Descriptions enclosing Sacramento Admin Asst (Non-exempt) and Sacramento Admin Asst (Exempt)	BELFOR 001385-1387
76.		Email from Porritt to Suchowski re: FW: CCRS	BELFOR 001403-1404
77.		Email from Lobb to Porritt and Kruse re: CCRS enclosing Administrative Assistant (Raleigh) document	BELFOR 001408-1410
78.		Email from Porritt to Lobb and Kruse re: CCRS	BELFOR 001411-1413
79.		Email from Porritt to Suchowski re: Duties/Responsibilities enclosing Planning Calendar	BELFOR 001415
80.		Email chain between Lisa Gregory and Shannon Harrison – 09/02/2010	GREGORY 000117-118
81.	Gregory Ex. 22	Email from Gregory to Harrison re: exempt versus non-exempt	GREGORY 000119-121
82.	Gregory Ex. 21	Email from Gregory to Harrison re: exempt versus non-exempt	GREGORY 000123
83.	Gregory Ex. 23	Email from Gregory to Harrison re: exempt versus non-exempt follow up	GREGORY 000124-126, 122
84.	Gregory Ex. 17	11-23-09 letter from Gregory to Elgin	GREGORY 000127
85.	Gregory Ex. 11	Log of hours worked (07-28-2008 through 08-22-2008)	GREGORY 000128-134
86.	Gregory Ex. 9	Log of hours worked (05-02-2009 through 12-04-2009)	GREGORY 000135
87.		Belfor office roster (revised 08/04/10)	GREGORY 000136-139
88.	Elgin Ex. 8, Gregory Ex. 5	Lisa's Current Duties	GREGORY 000140
89.	Elgin Ex. 10	What Lisa thinks Brenda's duties are	GREGORY 000141
90.	Elgin Ex. 11, Gregory Ex.18, Suchowski Ex. 12	Lisa's duties	GREGORY 000142-145

PROPOSED TRIAL EXHIBIT NO.	DEPOSITION EXHIBIT NO.	EXHIBIT DESCRIPTION	BATES RANGE
91.	Elgin Ex. 12	Summary of Hours for July 2010 through November 2010 with explanation of increased overtime	GREGORY 000146
92.	Elgin Ex. 21	Email chain from Elgin to Gregory re Belfor items remaining in Gregory's possession	GREGORY 000150-152
93.		Email chain from Gregory to Strickland re retrieving company property	GREGORY 000153
94.	Gregory Ex. 24	Email from Hodges to Gregory	GREGORY 000154
95.	Gregory Ex. 2	Gregory employment search spreadsheet (I)	GREGORY 000166-176
96.		Gregory Pay Stubs (redacted)	GREGORY 000179-225
97.	Gregory Ex. 6	1-8-07 E-mail from David Elgin to Judy Isbell, Lisa Gregory and Brenda Strickland	GREGORY 000248
98.	Gregory Ex. 7	Job descriptions	GREGORY 000249-260
99.	Gregory Ex. 8	Job detail for Lisa Gregory	GREGORY 000858-862
100.		Email from Elgin to team re: Cash Flow crunch!!!!	GREGORY 000863
101.		Email from Gregory to Elgin re: Laptop	GREGORY 000868
102.	Gregory Ex. 20	Handwritten notes	GREGORY 000874
103.	Gregory Ex. 10	Handwritten notes	GREGORY 000875-890
104.		Belfor office roster (revised 09/04/09)	GREGORY 000891-894
105.	Gregory Ex. 12	Virginia Beach organizational chart	GREGORY 001054
106.		Gregory QVC Earnings Statement – pay period ending 11/30/12	GREGORY 001242
107.		Gregory employment search spreadsheet (II)	GREGORY 001243-1248

Plaintiffs may offer to introduce into evidence the following exhibits:

PROPOSED TRIAL EXHIBIT No.	DEPOSITION EXHIBIT No.	EXHIBIT DESCRIPTION	BATES RANGE
108.		Email from Gregory to group reminding them of production meeting on Thursday	BELFOR 000602
109.		Email between David Elgin and Lisa re camera for James	BELFOR 000603-605
110.		Email chain between Elgin to Gregory re: production meeting	BELFOR 000606
111.		Email between David Elgin and Lisa re production meeting	BELFOR 000607
112.		Email between David Elgin and Lisa re production meeting	BELFOR 000608
113.	Elgin Ex. 41	Email between David Elgin and Lisa re Job Change Meetings	BELFOR 000623
114.		Emails between David Elgin and Lisa re bill approval meetings on Wednesday	BELFOR 000624
115.		Email chain between Elgin and Gregory re VAPRIMA golf tournament	BELFOR 000776-779
116.		Email from Gregory to Elgin and Drummond re: Homestead room reservations	BELFOR 000797-798
117.		Email from Gregory re: Elgin travel itinerary	BELFOR 000799-800
118.		Email from Gregory re: Drummond travel itinerary	BELFOR 000801-802
119.		Organizational charts and job descriptions from individual Belfor offices	BELFOR 001416-001647; 001660-001662
120.		Office Manager job description	BELFOR 001648-001652

Plaintiffs reserve the right to offer any documents or other exhibits identified by any other party and any other exhibits not listed for rebuttal or impeachment purposes. By identifying the foregoing documents, Plaintiffs reserve the right to object to the admissibility of such documents

or offer them (or portions of them) for a limited purpose. Plaintiffs reserve the right to supplement, modify or amend this disclosure.

LISA GREGORY, on behalf of herself and others similarly situated,

/s/

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system on January 11, 2013, which will send notification of this filing to counsel.

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